

*Status: Point in time view as at 13/07/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, SCHEDULE 25. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 25

Section 210.

#### BYELAW - MAKING POWERS OF THE [F1 APPROPRIATE AGENCY]

##### Textual Amendments

- F1** Words in Sch. 25 heading substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 315(b)** (with Sch. 7)

##### *Byelaws for regulating use of inland waters*

- 1 (1) Subject to the following provisions of this paragraph but without prejudice to the powers conferred by the following provisions of this Schedule, where it appears to the [F2 appropriate agency] to be necessary or expedient to do so for the purposes of any of the functions specified in [F3 sub-paragraphs (i), (iii) and (v) of section 2(1)(a) of the 1995 Act], the [F2 appropriate agency] may make byelaws—
- (a) prohibiting such inland waters as may be specified in the byelaws from being used for boating (whether with mechanically propelled boats or otherwise), swimming or other recreational purposes; or
  - (b) regulating the way in which any inland waters so specified may be used for any of those purposes.
- (2) Byelaws made by the [F2 appropriate agency] under this paragraph shall not apply to—
- (a) any tidal waters or any discrete waters;
  - (b) any inland waters in relation to which functions are exercisable by a navigation authority, harbour authority or conservancy authority other than the [F2 appropriate agency]; or
  - (c) any reservoir belonging to, and operated by, a water undertaker.
- (3) Byelaws made in respect of any inland waters by virtue of this paragraph may—
- (a) include provision prohibiting the use of the inland waters by boats which are not for the time being registered with the [F2 appropriate agency] in such manner as the byelaws may provide; and
  - (b) authorise the [F2 appropriate agency] to make reasonable charges in respect of the registration of boats in pursuance of the byelaws.

##### Textual Amendments

- F2** Words in Sch. 25 para. 2 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 315(b)** (with Sch. 7)
- F3** Words in Sch. 25 para. 1(1) substituted (1.4.1996) by [1995 c. 25, s. 120\(1\)](#), **Sch. 22 para. 190** (with ss. 7(6), 115, 117); [S.I. 1996/186](#), **art. 3**

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**Modifications etc. (not altering text)**

**C1** Sch. 25 para. 1 applied (with modifications) (15.8.2002) by [S.I. 2002/1998](#), [arts. 4, 32](#) (with [art. 33](#))

*Byelaws for regulating the use of navigable waters etc.*

- 2 (1) The [<sup>F2</sup>appropriate agency] shall have power to make such byelaws as are mentioned in sub-paragraph (3) below with respect to any inland waters in relation to which—
- (a) there is a public right of navigation; and
  - (b) the condition specified in sub-paragraph (2) below is satisfied,
- and with respect to any land associated with such waters.
- (2) For the purposes of this paragraph the condition mentioned in sub-paragraph (1) above is satisfied in relation to any waters if navigation in those waters—
- (a) is not for the time being subject to the control of any navigation authority, harbour authority or conservancy authority; or
  - (b) is subject to the control of such a navigation authority, harbour authority or conservancy authority as is prescribed for the purposes of this paragraph by reason of its appearing to the Secretary of State to be unable for the time being to carry out its functions.
- (3) The byelaws referred to in sub-paragraph (1) above in relation to any inland waters or to any land associated with any such waters are byelaws for any of the following purposes, that is to say—
- (a) the preservation of order in or on any such waters or land;
  - (b) the prevention of damage to anything in or on any such waters or land or to any such land;
  - (c) securing that persons resorting to any such waters or land so behave as to avoid undue interference with the enjoyment of the waters or land by others.
- (4) Without prejudice to the generality of any of the paragraphs of sub-paragraph (3) above or to the power conferred on the [<sup>F2</sup>appropriate agency] by virtue of paragraph 4 below, the byelaws mentioned in that sub-paragraph include byelaws—
- (a) regulating sailing, boating, bathing and fishing and other forms of recreation;
  - (b) prohibiting the use of the inland waters in question by boats which are not for the time being registered, in such manner as may be required by the byelaws, with the [<sup>F2</sup>appropriate agency];
  - (c) requiring the provision of such sanitary appliances as may be necessary for the purpose of preventing pollution; and
  - (d) authorising the making of reasonable charges in respect of the registration of boats for the purposes of the byelaws.
- (5) In this paragraph “boat” includes a vessel of any description, and “boating” shall be construed accordingly.

**Textual Amendments**

**F2** Words in [Sch. 25 para. 2](#) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), [art. 1\(2\)](#), [Sch. 2 para. 315\(b\)](#) (with [Sch. 7](#))

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*Byelaws for regulating the use of the [F<sup>4</sup>appropriate agency's] waterways etc.*

**Textual Amendments**

**F4** Words in Sch. 25 para. 3 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 315(b)** (with Sch. 7)

- 3
- (1) The [F<sup>4</sup>appropriate agency] shall have power to make such byelaws as are mentioned in sub-paragraph (2) below with respect to any waterway owned or managed by the [F<sup>4</sup>appropriate agency] and with respect to any land held or managed with the waterway.
- (2) The byelaws referred to in sub-paragraph (1) above in relation to any waterway or to any land held or managed with any such waterway are byelaws for any of the following purposes, that is to say—
- (a) the preservation of order on or in any such waterway or land;
  - (b) the prevention of damage to anything on or in any such waterway or land or to any such land;
  - (c) securing that persons resorting to any such waterway or land so behave as to avoid undue interference with the enjoyment of the waterway or land by others.
- (3) Without prejudice to the generality of any of the paragraphs of sub-paragraph (2) above or to the power conferred on the [F<sup>4</sup>appropriate agency] by virtue of paragraph 4 below, the byelaws mentioned in that sub-paragraph include byelaws—
- (a) regulating sailing, boating, bathing and fishing and other forms of recreation;
  - (b) prohibiting the use of the waterway in question by boats which are not for the time being registered, in such manner as may be required by the byelaws, with the [F<sup>4</sup>appropriate agency];
  - (c) requiring the provision of such sanitary appliances as may be necessary for the purpose of preventing pollution; and
  - (d) authorising the making of reasonable charges in respect of the registration of boats for the purposes of the byelaws.
- (4) In this paragraph—
- “boat” and “boating” have the same meanings as in paragraph 2 above; and
  - “waterway” has the same meaning as in the National Parks and Access to the M<sup>1</sup>Countryside Act 1949.

**Marginal Citations**

**M1** 1949 c. 97.

*Byelaws for controlling certain forms of pollution*

- 4
- (1) The [F<sup>5</sup>appropriate agency] may by byelaws make such provision as the [F<sup>5</sup>appropriate agency] considers appropriate—
- (a) for prohibiting or regulating the washing or cleaning in any controlled waters of things of a description specified in the byelaws;

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- (b) for prohibiting or regulating the keeping or use on any controlled waters of vessels of a description specified in the byelaws which are provided with water closets or other sanitary appliances.
- (2) In this paragraph—
- “controlled waters” has the same meaning as in Part III of this Act; and
- “sanitary appliance”, in relation to a vessel, means any appliance which—
- (a) not being a sink, bath or shower bath, is designed to permit polluting matter to pass into the water where the vessel is situated; and
- (b) is prescribed for the purposes of this paragraph.

#### **Textual Amendments**

**F5** Words in Sch. 25 paras. 4-6 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), [Sch. 2 para. 315\(b\)](#) (with Sch. 7)

#### *Byelaws for flood defence and drainage purposes*

- 5 (1) The [<sup>F5</sup>appropriate agency] may make such byelaws in relation to any particular locality or localities as it considers necessary [<sup>F6</sup>for any of Purposes 1 to 4.
- (1A) Purpose 1 is to secure the efficient working of a drainage system.
- (1B) Purpose 2 is to regulate the effects on the environment of a drainage system.
- (1C) Purpose 3 is to secure the effectiveness of flood risk management work within the meaning of section 165.
- (1D) Purpose 4 is to secure the effectiveness of works done in reliance on section 38 or 39 of the Flood and Water Management Act 2010 (incidental flooding or coastal erosion).]
- (2) Without prejudice to the generality of sub-paragraph (1) above and subject to sub-paragraph (3) below, the [<sup>F5</sup>appropriate agency] may, in particular, make byelaws for any of the following purposes, that is to say—
- (a) regulating the use and preventing the improper use of any watercourses, banks or works vested in the [<sup>F5</sup>appropriate agency] or under its control or for preserving any such watercourses, banks or works from damage or destruction;
- (b) regulating the opening of sluices and flood gates in connection with any such works as are mentioned in paragraph (a) above;
- (c) preventing the obstruction of any watercourse vested in the [<sup>F5</sup>appropriate agency] or under its control by the discharge into it of any liquid or solid matter or by reason of any such matter being allowed to flow or fall into it;
- (d) compelling the persons having control of any watercourse vested in the [<sup>F5</sup>appropriate agency] or under its control, or of any watercourse flowing into any such watercourse, to cut the vegetable growths in or on the bank of the watercourse and, when cut, to remove them.
- (3) No byelaw for any purpose specified in sub-paragraph (2)(a) above shall be valid if it would prevent reasonable facilities being afforded for enabling a watercourse to be used by stock for drinking purposes.

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- [<sup>F7</sup>(3A) If, in any particular case,—
- (a) a marine licence is needed for the carrying on of any activity,
  - (b) before that activity may be carried on, the consent of the [<sup>F5</sup>appropriate agency] would also be required (apart from this sub-paragraph) by virtue of any byelaw under this paragraph, and
  - (c) the [<sup>F5</sup>appropriate agency] considers that, in view of the terms and conditions that will be included in the marine licence, the requirement for the consent of the [<sup>F5</sup>appropriate agency] may be dispensed with, and issues a notice to that effect,
- the requirement for the consent of the [<sup>F5</sup>appropriate agency] does not apply in relation to the carrying on of that activity.
- (3B) In sub-paragraph (3A) “marine licence” has the same meaning as in Part 4 of the Marine and Coastal Access Act 2009.]
- (4) Notwithstanding anything in this Act, no byelaw made by the [<sup>F5</sup>appropriate agency] under this paragraph shall conflict with or interfere with [<sup>F8</sup>the operation of—
- (a) any byelaw made by a navigation authority, harbour authority or conservancy authority;
  - (b) any byelaw made under section 129 or 132 of the Marine and Coastal Access Act 2009 (byelaws for protecting marine conservation zones in England);
  - (c) any order made under section 134 or 136 of that Act (orders for protecting marine conservation zones in Wales).]
- (5) In this paragraph “banks” [<sup>F9</sup>, “drainage”] and “watercourse” have the same meanings as in Part IV of this Act.

#### Textual Amendments

- F5** Words in Sch. 25 paras. 4-6 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 315(b)** (with Sch. 7)
- F6** Sch. 25 para. 5(1A)-(1D) and words substituted for Sch. 25 para. 5(1)(a)(b) (19.7.2011 for E., 1.10.2011 for W.) by [Flood and Water Management Act 2010 \(c. 29\)](#), s. 49(3), **Sch. 2 para. 49** (with s. 49(1)(6)); [S.I. 2011/1770](#), art. 3(f); [S.I. 2011/2204](#), art. 3(2)(d)
- F7** Sch. 25 para. 5(3A)(3B) inserted (6.4.2011) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 84(2), 324(3)** (with **ss. 76-81, 111**); [S.I. 2011/556](#), art. 3(2)(a)
- F8** Sch. 25 para. 5(4)(a)-(c) substituted for words (12.1.2010 for specified purposes, 12.12.2014 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(2)(b)(i), **Sch. 11 para. 3**; [S.I. 2014/3088](#), art. 2(b)
- F9** Word in Sch. 25 para. 5(5) inserted (30.3.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), **ss. 100(2), 107(7)** (see also [S.I. 2006/2541](#), art. 2)

#### *Byelaws for purposes of fisheries functions*

- 6 (1) The [<sup>F5</sup>appropriate agency] shall have power, [<sup>F10</sup>in relation to the whole or any part or parts] of the area in relation to which it carries out its functions relating to fisheries under Part V of this Act, to make byelaws generally for the purposes of—
- (a) the better execution of the <sup>M2</sup>Salmon and Freshwater Fisheries Act 1975; and

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- (b) the better protection, preservation and improvement of any [<sup>F11</sup>fisheries of fish to which this paragraph applies.]

[<sup>F12</sup>(1A) This paragraph applies to—

- (a) salmon, trout, eels, lampreys, smelt, shad and freshwater fish; and  
 (b) fish of such other description as may be specified for the purposes of this paragraph by order under section 40A of the Salmon and Freshwater Fisheries Act 1975.]

(2) [<sup>F13</sup>..., the [<sup>F5</sup>appropriate agency] shall have power, [<sup>F10</sup>in relation to the whole or any part or parts] of the area mentioned in sub-paragraph (1) above, to make byelaws for any of the following purposes, that is to say—

- (a) prohibiting the taking or removal from any water, without lawful authority, of any fish [<sup>F14</sup>to which this paragraph applies ], whether alive or dead;

[<sup>F15</sup>(aa) specifying close seasons or times for the taking of any fish to which this paragraph applies by such means as may be prescribed by the byelaws;]

- (b) prohibiting or regulating—  
 (i) the taking of [<sup>F16</sup>any fish to which this paragraph applies] of a size [<sup>F17</sup>greater or] less than such as may be prescribed by the byelaw; or  
 (ii) the taking of fish [<sup>F18</sup>to which this paragraph applies] by any means within such distance as is specified in the byelaw above or below any dam or any other obstruction, whether artificial or natural;

(c) prohibiting the use for taking [<sup>F19</sup>fish to which this paragraph applies] of any instrument [<sup>F20</sup>... in such waters and at such times as may be prescribed by the byelaws;

(d) specifying the nets and other instruments [<sup>F21</sup>...which may be used for taking [<sup>F22</sup>fish to which this paragraph applies] , imposing requirements as to the use of such nets and other instruments and regulating the use, in connection with fishing with rod and line, of any lure or bait specified in the byelaw;

(e) authorising the placing and use of fixed engines at such places, at such times and in such manner as may be prescribed by the byelaws; [<sup>F23</sup>(including requiring fixed engines during close seasons or times to be removed or made incapable of taking or obstructing the passage of fish) ]

(f) imposing requirements as to the construction, design, material and dimensions of any such nets, instruments or engines as are mentioned in paragraphs (d) and (e) above, including in the case of nets the size of mesh;

(g) requiring and regulating the attachment to [<sup>F24</sup>...nets and instruments of marks, labels or numbers, or the painting of marks or numbers or the affixing of labels or numbers to boats, coracles or other vessels used in fishing;

(h) prohibiting the carrying in any boat or vessel whilst being used in fishing for [<sup>F25</sup>fish to which this paragraph applies] of any net [<sup>F26</sup>which may not lawfully be used], or which is without the mark, label or number prescribed by the byelaws; and

(i) prohibiting or regulating the carrying in a boat or vessel during [<sup>F27</sup>any close season or time for any description of fish to which this paragraph applies of a net capable of taking fish of that description ] , other than a net commonly used in the area to which the byelaw applies for sea fishing and carried in a boat or vessel commonly used for that purpose.

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<sup>F28</sup>(3) .....

<sup>F29</sup>(4) .....

- (5) The [<sup>F5</sup>appropriate agency] shall have power, [<sup>F10</sup>in relation to the whole or any part or parts] of the area mentioned in sub-paragraph (1) above, to make byelaws for the purpose of requiring persons to send to the [<sup>F5</sup>appropriate agency] returns, in such form, giving such particulars and at such times as may be specified in the byelaws—
- (a) of the period or periods during which they have fished for [<sup>F30</sup>fish to which this paragraph applies],
  - (b) of whether they have taken any; and
  - (c) if they have, of what they have taken.

- [<sup>F31</sup>(5A) A byelaw under this paragraph does not apply to a person (including an employee or agent of the [<sup>F5</sup>appropriate agency]) to the extent that he is acting—
- (a) with the written authority of the [<sup>F5</sup>appropriate agency]; and
  - (b) in accordance with any conditions imposed by the [<sup>F5</sup>appropriate agency] in relation to that authority.

(5B) For the avoidance of doubt, a byelaw under this paragraph may apply to an historic installation as to any other fixed engine.]

(6) Byelaws made under this paragraph may be made to apply to the whole or any part or parts of the year.

(7) Expressions used in this paragraph and in the <sup>M3</sup>Salmon and Freshwater Fisheries Act 1975 have the same meanings in this paragraph as in that Act.

#### Textual Amendments

- F5** Words in Sch. 25 paras. 4-6 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 315(b)** (with Sch. 7)
- F10** Words in Sch. 25 para. 6(1) to (5) substituted (21.9.1995) by [1995 c. 25, s. 105](#), **Sch. 15 para. 26(1)** (with ss. 7(6), 115, 117); [S.I. 1995/1983](#), **art. 3**
- F11** Words in Sch. 25 para. 6(1)(b) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 224(2)**, 324(3); [S.I. 2009/3345](#), art. 2, Sch. para. 14
- F12** Sch. 25 para. 6(1A) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 224(3)**, 324(3); [S.I. 2009/3345](#), art. 2, Sch. para. 14
- F13** Words in Sch. 25 para. 6(2) repealed (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), Sch. 16 para. 24(2)(a), **Sch. 22 Pt. 5(B)**; [S.I. 2009/3345](#), art. 2, Sch. paras. 15(i), 27(b)
- F14** Words in Sch. 25 para. 6(2)(a) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 24(2)(b)**; [S.I. 2009/3345](#), art. 2, Sch. para. 15(i)
- F15** Sch. 25 para. 6(2)(aa) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 224(4)**, 324(3); [S.I. 2009/3345](#), art. 2, Sch. para. 14
- F16** Words in Sch. 25 para. 6(2)(b)(i) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 24(2)(c)(i)**; [S.I. 2009/3345](#), art. 2, Sch. para. 15(i)
- F17** Words in Sch. 25 para. 6(2)(b)(i) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 224(5)**, 324(3); [S.I. 2009/3345](#), art. 2, Sch. para. 14
- F18** Words in Sch. 25 para. 6(2)(b)(ii) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 24(2)(c)(ii)**; [S.I. 2009/3345](#), art. 2, Sch. para. 15(i)
- F19** Words in Sch. 25 para. 6(2)(c) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 24(2)(d)(i)**; [S.I. 2009/3345](#), art. 2, Sch. para. 15(i)

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- F20** Words in Sch. 25 para. 6(2)(c) repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), Sch. 16 para. 24(2)(d)(ii), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 15(i), 27(b)
- F21** Words in Sch. 25 para. 6(2)(d) repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), Sch. 16 para. 24(2)(e)(i), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 15(i), 27(b)
- F22** Words in Sch. 25 para. 6(2)(d) substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 24(2)(e)(ii)**; S.I. 2009/3345, art. 2, Sch. para. 15(i)
- F23** Words in Sch. 25 para. 6(2)(e) inserted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), **ss. 224(6), 324(3)**; S.I. 2009/3345, art. 2, Sch. para. 14
- F24** Word in Sch. 25 para. 6(2)(g) repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), Sch. 16 para. 24(2)(f), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 15(i), 27(b)
- F25** Words in Sch. 25 para. 6(2)(h) substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 24(2)(g)(i)**; S.I. 2009/3345, art. 2, Sch. para. 15(i)
- F26** Words in Sch. 25 para. 6(2)(h) substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 24(2)(g)(ii)**; S.I. 2009/3345, art. 2, Sch. para. 15(i)
- F27** Words in Sch. 25 para. 6(2)(i) substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 24(2)(h)**; S.I. 2009/3345, art. 2, Sch. para. 15(i)
- F28** Sch. 25 para. 6(3) repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), **ss. 224(7), 324(3), Sch. 22 Pt. 5(B)** (with s. 224(10)); S.I. 2009/3345, art. 2, Sch. paras. 14, 27(b)
- F29** Sch. 25 para. 6(4) repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), **ss. 224(8), 324(3), Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 14, 27(b)
- F30** Words in Sch. 25 para. 6(5) substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 24(3)**; S.I. 2009/3345, art. 2, Sch. para. 15(i)
- F31** Sch. 25 para. 6(5A)(5B) inserted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), **ss. 224(9), 324(3)**; S.I. 2009/3345, art. 2, Sch. para. 14

#### Modifications etc. (not altering text)

- C2** Sch. 25 para. 6 amended (27.8.1993) by 1993 c. 12, **ss. 40, 51(2), Sch. 3 Pt. I para. 9** (with s. 46). Sch. 25 para. 6 excluded by S.I. 1999/1746, **arts. 1(1), 4(1)** (with art. 2) (the exclusion coming into force immediately before the principal appointed day (1.7.1999 appointed by S.I. 1998/3178, **art. 3**))
- C3** Sch. 25 para. 6 modified by S.I. 2010/675, Sch. 23 Pt. 8 para. 3 Table 9 (as substituted (1.10.2011) by The Environmental Permitting (England and Wales) (Amendment) Regulations 2011 (S.I. 2011/2043), reg. 1(b), **Sch. 1**)

#### Marginal Citations

- M2** 1975 c. 51.  
**M3** 1975 c. 51.

*[<sup>F32</sup> Fisheries byelaws for marine or aquatic environmental purposes]*

#### Textual Amendments

- F32** Sch. 25 para. 6A inserted (21.9.1995) by 1995 c. 25, **s. 103(3)** (with **ss. 7(6), 115, 117**); S.I. 1995/1983, **art. 3**

<sup>F33</sup>6A (1) Any power to make byelaws conferred by paragraph 6 above may be exercised for marine or aquatic environmental purposes.

(2) The power to make byelaws under paragraph 6 above by virtue of this paragraph is in addition to, and not in derogation from, the power to make byelaws under that paragraph otherwise than by virtue of this paragraph.

(3) In this paragraph “marine or aquatic environmental purposes” means—



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- (a) the conservation or enhancement of the natural beauty or amenity of marine or coastal, or aquatic or waterside, areas (including their geological or physiographical features) or of any features of archaeological or historic interest in such areas; or
- (b) the conservation of flora or fauna which are dependent on, or associated with, a marine or coastal, or aquatic or waterside, environment.]

**Textual Amendments**

**F33** Sch. 25 para. 6A inserted (21.9.1995) by 1995 c. 25, s. 103(3) (with ss. 7(6), 115, 117); S.I. 1995/1983, art. 3

*Restrictions on powers to make byelaws for fisheries purposes*

F347

**Textual Amendments**

**F34** Sch. 25 para. 7 repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), Sch. 16 para. 25, Sch. 22 Pt. 5(B); S.I. 2009/3345, art. 2, Sch. paras. 15(i), 27(b)

**Status:**

Point in time view as at 13/07/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the Water Resources Act 1991, SCHEDULE 25.